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HEWLETT-PACKARD COMPANY  
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EXAMINER	
ERB, NATHAN	
ART UNIT	PAPER NUMBER
3639	

DATE MAILED: 07/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/083,298

Applicant(s)

WADLEY, DONALD

Examiner

Nathan Erb

Art Unit

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 and 27-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 and 27-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Applicant's response to Office action was received on May 3, 2006.
3. Regarding applicant's argument against the 35 U.S.C. 103 rejection of claim 1, the argument has been found to be not persuasive. Applicant argues that the 35 U.S.C. 103 rejection of claim 1 is improper because the modification of Moore using Patchett would render Moore unsatisfactory for its intended purpose. Applicant argues that such a modification would require the identifier of Moore to not be enabled until after the letter associated with the identifier has been processed by the postal system and delivered to its recipient. Applicant argues that such a modification would render Moore unsatisfactory because the idea of Moore is to only deliver letters with enabled identifiers, and Moore would result in no enabled identifiers if identifiers were never enabled until after the letter they are displayed on is already delivered.

However, applicant is assuming that the delivery of an item with an identifier only occurs when the item is sent through the mail by itself with the identifier evidencing its postage for that transfer through the mail. There is also the case where the item with an identifier is being delivered as a part of and/or inside of another mailing, which has its own, separate postage. In fact, this is how the credit card of Patchett is delivered, inside of another item. For example, a letter advertising a special offer may include a postage-paid envelope for response from a consumer. It would be desirable not to enable the identifier on that response envelope until after its delivery to the intended consumer recipient because the identifier does not need to be enabled

until then. Of course, if the response envelope is later mailed back, the enabled identifier will be able to be used to verify its own authenticity, as disclosed by Moore. Therefore, the 35 U.S.C. 103 rejection of claim 1 from the previous Office action would not render Moore unsatisfactory for its intended purpose and was a proper rejection under 35 U.S.C. 103. Since claim 1 is not patentable, claims 2-10 cannot be argued as patentable due to dependency on claim 1.

4. Regarding applicant's argument against the 35 U.S.C. 102 rejection of claim 11, in response to applicant's amendment of claim 11, the 35 U.S.C. 102 rejection of claim 11 from the previous Office action is withdrawn. Instead, claim 11 is now rejected under 35 U.S.C. 103. Likewise, the rejections for the claims dependent on claim 11 have been similarly modified. See below for the modified rejections. Since claim 11 is not patentable, claims 12-20 cannot be argued as patentable due to dependency on claim 11. Note that combining Moore and Patchett to reject claim 11 under 35 U.S.C. 103 is proper in light of the above argument with respect to the 35 U.S.C. 103 rejection of claim 1.

5. Regarding applicant's argument against the 35 U.S.C. 102 rejection of claim 21, in response to applicant's amendment of claim 21, the 35 U.S.C. 102 rejection of claim 21 from the previous Office action is withdrawn. Instead, claim 21 is now rejected under 35 U.S.C. 103. Likewise, the rejections for the claims dependent on claim 21 have been similarly modified. See below for the modified rejections. Since claim 21 is not patentable, claims 22-25 and 27-30 cannot be argued as patentable due to dependency on claim 21. Note that combining Moore and Patchett to reject claim 21 under 35 U.S.C. 103 is proper in light of the above argument with respect to the 35 U.S.C. 103 rejection of claim 1.

6. Regarding applicant's argument against the 35 U.S.C. 103 rejection of claim 10, applicant argues that claim 10 is patentable due to its dependency on claim 1. Since claim 1 is not patentable, as explained above, claim 10 cannot be argued as patentable due to dependency on claim 1. Therefore, applicant's argument for patentability of claim 10 is not persuasive.

7. Regarding applicant's argument against the 35 U.S.C. 103 rejection of claims 12, 15, and 24, applicant argues that claims 12 and 15 are patentable due to their dependency on claim 11. Since claim 11 is not patentable, as explained above, claims 12 and 15 cannot be argued as patentable due to dependency on claim 11. Therefore, applicant's argument for patentability of claims 12 and 15 is not persuasive. In addition, applicant argues that claim 24 is patentable due to its dependency on claim 21. Since claim 21 is not patentable, as explained above, claim 24 cannot be argued as patentable due to dependency on claim 21. Therefore, applicant's argument for patentability of claim 24 is not persuasive.

8. Regarding applicant's argument against the 35 U.S.C. 103 rejection of claims 20 and 28, applicant argues that claim 20 is patentable due to its dependency on claim 11. Since claim 11 is not patentable, as explained above, claim 20 cannot be argued as patentable due to dependency on claim 11. Therefore, applicant's argument for patentability of claim 20 is not persuasive. In addition, applicant argues that claim 28 is patentable due to its dependency on claim 21. Since claim 21 is not patentable, as explained above, claim 28 cannot be argued as patentable due to dependency on claim 21. Therefore, applicant's argument for patentability of claim 28 is not persuasive.

9. In response to the cancellation of claims 26, 31, and 32, the rejections with respect to those claims have been withdrawn.

***Drawings***

10. In response to applicant's submission of replacement drawing sheets received on May 3, 2006, the first of the two drawings objections from the previous Office action has been withdrawn. The remaining drawings objection appears below.

11. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "50" (p. 6, line 18, and elsewhere). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

12. In response to applicant's amendment of the specification received on May 3, 2006, the objection to the specification from the previous Office action has been withdrawn.

***Claim Objections***

13. In response to applicant's amendment of the claims received on May 3, 2006, the objection to claim 32 from the previous Office action has been withdrawn.

***Claim Rejections - 35 USC § 112***

14. In response to applicant's amendment of the claims received on May 3, 2006, the rejections of claims 9, 19, 23, 24, 31, and 32 under 35 U.S.C. 112, second paragraph, from the previous Office action have been withdrawn.

***Claim Rejections - 35 USC § 101***

15. In response to applicant's amendment of the claims received on May 3, 2006, the rejection of claims 31 and 32 under 35 U.S.C. 101 from the previous Office action has been withdrawn.

***Claim Rejections - 35 USC § 103***

16. Claims 1-9, 11-19, 21-25, 27, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore, U.S. Patent No. 5,917,925, in view of Patchett, Sharon, "Efforts to Control Credit Card Fraud May Inconvenience Holder," Syracuse Herald Journal, City Edition, Syracuse, NY, May 12, 1997, p. C.2.

As per **Claim 1**, Moore discloses a method for sending an article in a postal system, said method comprising the steps of:

- causing an identifier to be associated with information in a database (column 5, lines 12-25);
- marking an article with the identifier (column 3, line 67, through column 4, line 3);
- and checking whether the identifier is enabled before delivering the article (column 4, lines 26-46).

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Moore fails to disclose enabling the identifier after the occurrence of a predetermined event.

Patchett discloses enabling an identifier (a credit card number) after the occurrence of a predetermined event (consumer calling a toll-free number to activate the credit card) (p. 1, 3rd paragraph from bottom). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore such that the identifier is not enabled until after the occurrence of a predetermined event as disclosed by Patchett. Patchett provides motivation in that not enabling an identifier until after a predetermined event can help prevent fraudulent activity that might have otherwise occurred in the time period before the identifier was enabled (p. 1, 5th paragraph from bottom).

As per Claim 2, Moore further discloses wherein the identifier serves as postage for the article (column 5, lines 34-41). Moore and Patchett fail to disclose the article only being delivered when the identifier is enabled. However, it was well-known in the art at the time of applicant's invention that the postal service typically would not deliver articles without valid (that is, enabled) postage. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore as modified by Patchett above in this section such that the article would only be delivered when the identifier is enabled as was well-known in the art at the time of applicant's invention. Motivation is provided by the fact that it was well-known in the art at the time of applicant's invention that postage serves as payment to the postal service in exchange for delivering an article; therefore, it is only logical not to deliver articles with invalid postage (the identifier, in this case).



As per **Claim 3**, Moore further discloses wherein the identifier is unique to the article (column 4, lines 59-65).

As per **Claim 4**, Moore fails to disclose distributing the article in commerce before enabling the identifier. Patchett discloses distributing an article (a credit card) in commerce (all the way to the consumer) before enabling the article's identifier (having the consumer activate the credit card number) (entire article). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore as modified by Patchett above in this section such that the article is distributed in commerce before the identifier is enabled as disclosed by Patchett. Patchett provides motivation in that distributing the article in commerce before the article's identifier is enabled can help prevent fraudulent activity that might have otherwise occurred in the time period before the identifier was enabled (p. 1, 5th paragraph from bottom).

As per **Claim 5**, Moore and Patchett fail to disclose wherein said article is selected from the group consisting of magazine inserts and warranty cards. However, magazine inserts and warranty cards were well-known in the art at the time of applicant's invention as articles commonly intended to be mailed. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore as modified by Patchett above in this section such that the article could be a magazine insert or a warranty card as was well-known in the art at the time of applicant's invention. Motivation is provided by the fact that it was well-known in the art at the time of applicant's invention that magazine

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inserts and warranty cards often had postage paid by the intended addressee; therefore, they would be a possible target for those intending to misuse such postage arrangements and potentially in need of the protection offered by the invention of Moore as modified by Patchett above in this section.

As per **Claim 6**, Moore further discloses:

- reading addressee information from the article (column 7, lines 18-47);
- and comparing the addressee information against address information associated with the identifier in the database (column 7, lines 18-47).

As per **Claim 7**, Moore further discloses signaling when information from the article fails to match corresponding information in a database (column 12, lines 25-42). Moore also discloses that information read from the article and compared to corresponding information from a database may include addressee information from the article (column 7, lines 18-47). Therefore, Moore further discloses signaling when the addressee information differs from the address information associated with the identifier in the database.

As per **Claim 8**, Moore further discloses maintaining records associated with the identifier comparing step (column 26, lines 6-12).

As per **Claim 9**, Moore fails to disclose wherein the enabling step involves including an indication within a database that the identifier is valid, such that a later check of the identifier

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within the database returns a result showing that the identifier is valid. Patchett discloses wherein the enabling step (the consumer activating the credit card number) involves including an indication within a database that the identifier is valid, such that a later check of the identifier within the database returns a result showing that the identifier is valid (This would inherently have to happen in the credit card activation process as described. The fact that the card was activated would have to be recorded in some sort of database, showing the credit card number [the identifier] as valid, so that the credit card company would be able to tell whether or not credit card transactions should go through when the credit card is used.) (p. 1, 2nd and 3rd paragraphs from bottom). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore as modified by Patchett above in this section such that the enabling step involves including an indication within a database that the identifier is valid and a later check of the identifier within the database returns a result showing that the identifier is valid, as disclosed by Patchett. Patchett inherently provides motivation in that this is an inherent step of the fraud-prevention system disclosed by Patchett, which has an intended purpose of preventing fraudulent use of items before their intended recipients can receive them (entire article).

As per **Claim 11**, Moore discloses a method for sending an article in a postal system, said method comprising the steps of:

- causing an identifier to be associated with address information in a database (column 5, lines 12-25, discloses causing an identifier to be associated with information in a database in

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general; column 7, lines 18-47, discloses the information being address [destination] information);

- marking an article with the identifier (column 7, lines 28-39);
- checking whether the identifier is enabled before delivering the article (column 4, lines 26-46);
- comparing the address information associated with the identifier with addressee information on the article before delivering the article (column 7, lines 39-47).

Moore fails to disclose enabling the identifier after the occurrence of a predetermined event. Patchett discloses enabling an identifier (a credit card number) after the occurrence of a predetermined event (consumer calling a toll-free number to activate the credit card) (p. 1, 3rd paragraph from bottom). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore such that the identifier is not enabled until after the occurrence of a predetermined event as disclosed by Patchett. Patchett provides motivation in that not enabling an identifier until after a predetermined event can help prevent fraudulent activity that might have otherwise occurred in the time period before the identifier was enabled (p. 1, 5th paragraph from bottom).

As per **Claim 12**, Moore further discloses wherein the identifier serves as postage for the article (column 5, lines 34-41). Moore and Patchett fail to disclose the article only being delivered when the identifier is enabled. However, it was well-known in the art at the time of applicant's invention that the postal service typically would not deliver articles without valid (that is, enabled) postage. It would have been obvious to one of ordinary skill in the art at the

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time of applicant's invention to modify the article-mailing method of Moore as modified in the rejection for claim 11 such that the article would only be delivered when the identifier is enabled as was well-known in the art at the time of applicant's invention. Motivation is provided by the fact that it was well-known in the art at the time of applicant's invention that postage serves as payment to the postal service in exchange for delivering an article; therefore, it is only logical not to deliver articles with invalid postage (the identifier, in this case).

As per **Claim 13**, Moore further discloses wherein the identifier is unique to the article (column 4, lines 59-65).

As per **Claim 14**, Moore fails to disclose distributing the article in commerce before enabling the identifier. Patchett discloses distributing an article (a credit card) in commerce (all the way to the consumer) before enabling the article's identifier (having the consumer activate the credit card number) (entire article). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore such that the article is distributed in commerce before the identifier is enabled as disclosed by Patchett. Patchett provides motivation in that distributing the article in commerce before the article's identifier is enabled can help prevent fraudulent activity that might have otherwise occurred in the time period before the identifier was enabled (p. 1, 5th paragraph from bottom).

As per **Claim 15**, Moore and Patchett fail to disclose wherein said article is selected from the group consisting of magazine inserts and warranty cards. However, magazine inserts and

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warranty cards were well-known in the art at the time of applicant's invention as articles commonly intended to be mailed. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore as modified in the rejection for claim 11 such that the article could be a magazine insert or a warranty card as was well-known in the art at the time of applicant's invention. Motivation is provided by the fact that it was well-known in the art at the time of applicant's invention that magazine inserts and warranty cards often had postage paid by the intended addressee; therefore, they would be a possible target for those intending to misuse such postage arrangements and potentially in need of the protection offered by the invention of Moore.

As per **Claim 16**, Moore further discloses:

- reading addressee information from the article (column 7, lines 18-47);
- and comparing the addressee information against address information associated with the identifier in the database (column 7, lines 18-47).

As per **Claim 17**, Moore further discloses signaling when information from the article fails to match corresponding information in a database (column 12, lines 25-42). Moore also discloses that information read from the article and compared to corresponding information from a database may include addressee information from the article (column 7, lines 18-47). Therefore, Moore further discloses signaling when the addressee information differs from the address information associated with the identifier in the database.

As per **Claim 18**, Moore further discloses maintaining records associated with the identifier comparing step (column 26, lines 6-12).

As per **Claim 19**, Moore fails to disclose wherein the enabling step involves including an indication within a database that the identifier is valid, such that a later check of the identifier within the database returns a result showing that the identifier is valid. Patchett discloses wherein the enabling step (the consumer activating the credit card number) involves including an indication within a database that the identifier is valid, such that a later check of the identifier within the database returns a result showing that the identifier is valid (This would inherently have to happen in the credit card activation process as described. The fact that the card was activated would have to be recorded in some sort of database, showing the credit card number [the identifier] as valid, so that the credit card company would be able to tell whether or not credit card transactions should go through when the credit card is used.) (p. 1, 2nd and 3rd paragraphs from bottom). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore such that the enabling step involves including an indication within a database that the identifier is valid and a later check of the identifier within the database returns a result showing that the identifier is valid, as disclosed by Patchett. Patchett inherently provides motivation in that this is an inherent step of the fraud-prevention system disclosed by Patchett, which has an intended purpose of preventing fraudulent use of items before their intended recipients can receive them (entire article).

As per **Claim 21**, Moore discloses a system for tracking an article having an identifier (column 7, lines 23-39) and a recipient address (column 7, lines 39-47), said system comprising:

- a reader configured to read information from said article (column 5, line 64, through column 6, line 14);
- a database including identifier data associated with at least one identifier (column 6, lines 18-20);
- means for retrieving data from the database and reviewing the data (column 6, lines 18-20; the indicia could not be validated unless the data could be retrieved from the database and reviewed);
- means for verifying enablement of said identifier before delivering the article (column 4, lines 26-46).

Moore fails to disclose means for enabling said identifier after the occurrence of a predetermined event. Patchett discloses means for enabling said identifier (a credit card number) after the occurrence of a predetermined event (consumer calling a toll-free number to activate the credit card) (p. 1, 3rd paragraph from bottom). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore such that it includes means for enabling said identifier after the occurrence of a predetermined event as disclosed by Patchett. Patchett provides motivation in that not enabling an identifier until after a predetermined event can help prevent fraudulent activity that might have otherwise occurred in the time period before the identifier was enabled (p. 1, 5th paragraph from bottom).



As per **Claim 22**, Moore further discloses wherein said database further comprises data relating one or more identifiers to one or more recipient addresses (column 7, lines 18-47) and said system further comprises means for comparing the recipient address on said article against the identifier data in the database (column 7, lines 18-47).

As per **Claim 23**, Moore further discloses wherein said means for comparing the recipient address on said article comprises hardware configured to facilitate a comparison of the addressee indicator against the identifier data in the database (column 7, lines 18-47, discloses the described function; column 6, lines 15-28, discloses using computers (that is, hardware) to do the data comparison step of the invention).

As per **Claim 24**, Moore and Patchett fail to disclose wherein said means for comparing the recipient address on said article comprises software configured to facilitate a comparison of the addressee indicator against the identifier data in the database. However, it was well-known in the art at the time of applicant's invention that software was commonly used to provide instructions to computers that allow them to perform their functions. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-tracking system of Moore as modified in the rejection for claim 22 such that software as was well-known in the art was used to compare the recipient address. Motivation is provided by the fact that it was well-known in the art at the time of applicant's invention that software was an effective way to direct a computer what to do.

As per **Claim 25**, Moore further discloses means for storing the results of the comparison of the recipient address against the identifier data in the database (column 27, lines 28-45).

As per **Claim 27**, Moore further discloses wherein said reader comprises means for reading the identifier on said article (column 5, line 64, through column 6, line 14).

As per **Claim 29**, Moore further discloses means for recording data in relation to operation of the system (column 26, lines 6-12).

As per **Claim 30**, Moore further discloses wherein said reader may read information which identifies a source of the article (column 7, lines 18-47; unique manufacturer identifier would indicate source).

17. Claims 10, 20, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore in view of Patchett in further view of Diamond, U.S. Patent No. 5,415,341.

As per **Claim 10**, Moore further discloses delivering the article (column 11, line 10, mentions a "delivery point," so a delivery step is implicitly disclosed). Moore and Patchett fail to disclose charging a payer for sending the article upon the delivery of the article. Diamond discloses charging a payer for sending the article upon the delivery of the article (column 1, lines 45-66). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the article-mailing method of Moore as modified by Patchett in the rejection for claim 1 above such that a payer would be charged for sending the article upon the delivery of

the article as disclosed by Diamond. Diamond provides motivation in that “[t]he purpose of the Business Reply Envelope is to provide a postage paid method of response for a respondee through the mail” (column 1, lines 58-61).

As per **Claim 20**, Moore further discloses delivering the article (column 11, line 10, mentions a “delivery point,” so a delivery step is implicitly disclosed). Moore and Patchett fail to disclose charging a payer for sending the article upon the delivery of the article. Diamond discloses charging a payer for sending the article upon the delivery of the article (column 1, lines 45-66). It would have been obvious to one of ordinary skill in the art at the time of applicant’s invention to modify the article-mailing method of Moore as modified in the rejection for claim 11 such that a payer would be charged for sending the article upon the delivery of the article as disclosed by Diamond. Diamond provides motivation in that “[t]he purpose of the Business Reply Envelope is to provide a postage paid method of response for a respondee through the mail” (column 1, lines 58-61).

As per **Claim 28**, Moore and Patchett fail to disclose means for charging a payer upon delivery of the article to the recipient of the article. Diamond discloses means for charging a payer upon delivery of the article to the recipient of the article (column 1, lines 45-66). It would have been obvious to one of ordinary skill in the art at the time of applicant’s invention to modify the article-tracking system of Moore as modified in the rejection for claim 21 such that it included means for charging a payer upon delivery of the article to the recipient of the article as disclosed by Diamond. Diamond provides motivation in that “[t]he purpose of the Business

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Reply Envelope is to provide a postage paid method of response for a response through the mail" (column 1, lines 58-61).

***Conclusion***

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

19. **Examiner's Note:** Examiner has cited particular portions of the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim; other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

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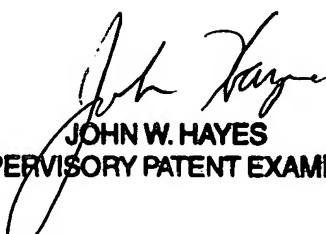
20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Erb whose telephone number is (571) 272-7606. The examiner can normally be reached on Mondays through Fridays, 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nathan Erb  
Examiner  
Art Unit 3639

nhe

  
**JOHN W. HAYES**  
**SUPERVISORY PATENT EXAMINER**